

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christopher J. Sewall et al.

Application No.: 10/824,688

Art Unit: 1623

Filed: April 14, 2004

Examiner: Everett White

For: HOMOGENEOUS, THERMOREVERSIBLE
GEL CONTAINING REDUCED VISCOSITY
CARRAGEENAN AND PRODUCTS MADE
THEREFROM

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUBMISSION UNDER 37 CFR 1.114

On October 17, 2007, Applicants' representative Paul Fair conducted a personal interview with Examiners Leigh Maier and Everett White in regard to the outstanding rejections in the above identified case. Granting of the personal interview and the professional courtesy and respect shown by the Examiners during the interview were appreciated.

In the Office Action dated November 1, 2006, the Examiner rejected claims 1, 6, 7, and 28 as obvious over Guiseley (U.S. Patent 4,443,486); claims 2-5, 8-27, 29, 30-34 and 45 as obvious over Guiseley (U.S. Patent 4,443,486) in view of Gennadios (U.S. Patent 6,214,376); and claims 35-43 as obvious over Gennadios (U.S. Patent 6,214,376) in view of Guiseley (U.S. Patent 4,443,486). As noted in the Examiner Interview Summary Record, Mr. Fair discussed the outstanding rejections and the differences between the prior art and the claimed invention. More specifically, in conjunction with the discussion of the prior art and the arguments of record, Mr. Fair provided background information on the chemistry and properties of carrageenan in general and kappa-2 carrageenan, iota carrageenan and kappa carrageenan in particular (such as known gelling properties and varying degrees of sulfation), and, in particular, further discussed the disclosure in Guiseley that the low molecular weight carrageenan is disclosed as being desirable

therein because it would *not* lead to gelation. Mr. Fair also referred to Falshaw, Food Hydrocolloids 15: 441-452, 2001, and Bixler, Food Hydrocolloids 15: 619-630, 2001, both of which are listed on the Examiner Interview Summary Record, to assist the Examiners' understanding of both the cited prior art and the claimed invention. As noted in the Examiner Interview Summary Record, the Examiner agreed to reconsider the properties of carrageenan and the prior art rejections.

Based on the information presented and discussed during the interview, as well as the arguments of record, it is believed that the rejection of claims 1, 6, 7, and 28 as obvious over Guiseley (U.S. Patent 4,443,486); the rejection of claims 2-5, 8-27, 29, 30-34 and 45 as obvious over Guiseley (U.S. Patent 4,443,486) in view of Gennadios (U.S. Patent 6,214,376); and the rejection of claims 35-43 as obvious over Gennadios (U.S. Patent 6,214,376) in view of Guiseley (U.S. Patent 4,443,486) should all be withdrawn.

It is believed that this Submission fully complies with 37 CFR 1.114, as well as complies with Applicants' requirement to file a statement of the substance of the interview.

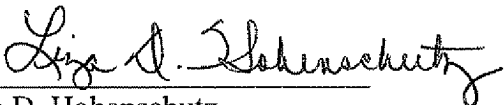
Accompanying this Submission is an Information Disclosure Statement.

An early and favorable Office Action is respectfully requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 10884-00018-US. A duplicate copy of this paper is enclosed.

Dated: November 1, 2007

Respectfully submitted,

By 

Liza D. Hohenschutz

Registration No.: 33,712

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicant

573780